

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Briana Aguilar-Austin	Team: Team # 5	CCRB Case #: 200701329	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/26/2007 10:00 PM	Location of Incident: the lobby of § 87(2)(b)	Precinct: 43	18 Mo. SOL 7/26/2008	EO SOL 7/26/2008	
Date/Time CV Reported Mon, 01/29/2007 12:01 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 01/29/2007 12:01 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Thomas Dunne	20950	936530	BX/Q IM
2. POM Wilson Verdesoto	26997	937685	BX/Q IM
3. POM Matthew Laietta	26158	936900	BX/Q IM
4. POM Michael Sinclair	26919	937545	BX/Q IM

Officer(s)	Allegation	Investigator Recommendation
A.POM Wilson Verdesoto	Abuse: Officer Wilson Verdesoto stopped and questioned § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
B.POM Matthew Laietta	Abuse: Officer Matthew Laietta stopped and questioned § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
C.POM Michael Sinclair	Abuse: Officer Michael Sinclair stopped and questioned § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
D.POM Thomas Dunne	Abuse: Officer Thomas Dunne stopped and questioned § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)

Synopsis

§ 87(2)(b) filed this complaint with the CCRB on January 29, 2007. She filed this complaint on behalf of her son, § 87(2)(b) and her nephew, § 87(2)(b).

On January 27, 2007, at approximately 10:00 PM, § 87(2)(b) and his cousin, § 87(2)(b) left § 87(2)(b)'s apartment on the § 87(2)(b) floor of § 87(2)(b) in the Bronx. § 87(2)(b) and § 87(2)(b) went into the elevator and proceeded to the lobby of the building. Inside the elevator, § 87(2)(b) took out and lit a cigarette. When they exited the elevator, four officers, Officer Thomas Dunne, tax registry number 936530, Officer Wilson Verdesoto, tax registry number 937685, Officer Matthew Laietta, tax registry number 936900, and Officer Michael Sinclair, tax registry number 937545, identified by their names on their shields and their badge numbers, stopped § 87(2)(b) and § 87(2)(b) asked for identification and where they had been. § 87(2)(b) responded that they were coming from his apartment. Both § 87(2)(b) and § 87(2)(b) gave the officers their identification. Officer Dunne asked § 87(2)(b) why he had been smoking, to which § 87(2)(b) responded that he had just lit it. The officers told § 87(2)(b) to put the cigarette out, which he did. Officer Dunne said that he was going to give § 87(2)(b) a ticket for smoking in an elevator. § 87(2)(b) responded that he only lit the cigarette because he was about to leave the building. § 87(2)(b) asked why the officers had stopped them. Officer Dunne said that § 87(2)(b) was also going to get a ticket because § 87(2)(b) was smoking in the elevator. § 87(2)(b) called § 87(2)(b) using his cell phone and told her that he had been stopped in the lobby. § 87(2)(b) went downstairs and asked the officers why they stopped § 87(2)(b) and § 87(2)(b). The officers responded that § 87(2)(b) had been smoking a cigarette. § 87(2)(b) said that § 87(2)(b) had put the cigarette out when asked. An officer told § 87(2)(b) told § 87(2)(b) that her son was an adult and that she should go upstairs. § 87(2)(b) argued with the officers, saying that her son had not been smoking and said that she would not go upstairs. § 87(2)(b) said that her son was not smoking so he should not get a ticket. Officer Dunne told her that the city had to make revenue because the city had no money. § 87(2)(b) continued to argue with the officers and the officers told her again to go upstairs. § 87(2)(b) took down the officers' names and badge numbers before they left. The officers issued § 87(2)(b) a summons. In the telephone statement, § 87(2)(b) did not state as she did in her original allegation that one of the officers called § 87(2)(b) and § 87(2)(b) "niggers."

The undersigned obtained a telephone statement from § 87(2)(b) on February 20, 2007, and scheduled an appointment to interview § 87(2)(b) and § 87(2)(b) on March 6, 2007. Neither § 87(2)(b) nor § 87(2)(b) showed up for the appointment and neither called to cancel. On March 7, 2007, the undersigned sent missed appointment letters. The undersigned rescheduled the appointment with § 87(2)(b) and § 87(2)(b) on March 23, 2007. On March 23, 2007, § 87(2)(b) called and said she would be later. After receiving phone calls from her for an hour and a half after the appointment time, during § 87(2)(b)'s last phone call she said that she would not come in. The undersigned rescheduled § 87(2)(b) and § 87(2)(b) for April 3, 2007. Neither § 87(2)(b) nor § 87(2)(b) showed up for that appointment, and neither called to cancel. The undersigned sent letters to § 87(2)(b) on January 31, and February 6 and 14, 2007, however § 87(2)(b) has not responded to the letters and the letters were not returned. The undersigned searched the NYC Department of Corrections Prisoner Locator site. As of April 9, 2007, § 87(2)(b), § 87(2)(b) and § 87(2)(b) were not incarcerated. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: